

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

No. 04-CR-10384-PBS

UNITED STATES

v.

DANIEL KAMEN

**MOTION TO CONTINUE TRIAL DATE –
ASSENTED TO**

The defendant Daniel Kamen moves that the Court continue the trial date in this case from November 26, 2007 until January 28, 2008, or until some other date that is convenient to the Court's schedule. In support of this motion, the defendant states:

1. Dr. Irwin Goldstein, the defendant's treating urologist, testified as a witness at the first trial, and will be a necessary witness at the second trial. Dr. Goldstein has a very busy practice, both treating patients and consulting. Since the first trial, Dr. Goldstein has moved his residence from Massachusetts to California. Counsel has located Dr. Goldstein, and he is willing to return to Massachusetts to testify at Mr. Kamen's trial. Dr. Goldstein is available during the week of January 28, 2008. Counsel has also determined that Mr. Kamen's other doctor, Dr. Carol J. Ball, is also available that week.
2. Defense counsel has conferred with Assistant U.S. Attorney Paul Moore, who assents to this continuance. Mr. Moore indicates that the proposed date is acceptable to the

government.

3. The parties agree that the time between this date and January 28, 2008 should be excluded under the Speedy Trial Act .

Respectfully submitted,
DANIEL KAMEN
By his attorneys,

/s/ Charles W. Rankin

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on November 5, 2007.

/s/ Charles W. Rankin

Charles W. Rankin